

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chair Jim Shockley, on April 8, 2011 at 4:20 PM, in Room 335 Capitol

ROLL CALL

Members Present:

Sen. Jim Shockley, Chairman (R)
Sen. Ron Arthun, Vice Chairman (R)
Sen. Joe Balyeat (R)
Sen. Anders Blewett (D)
Sen. Llew Jones (R)
Sen. Carmine Mowbray (R)
Sen. Jonathan Windy Boy (D)

Members Excused: Sen. Larry Jent (D)

Members Absent: None

Staff Present: Nadine Spencer, Committee Secretary
Rachel Weiss, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 632, 4/4/2011

Executive Action: HB 632, Be Concurred In As Amended; HB 306, Be Concurred In

HEARING ON HB 632

Opening Statement by Sponsor:

00:00:13 Rep. Janna Taylor (R), HD 11, opened the hearing on HB 632, Use spendable portion of coal sev. tax to pay down UAL in PERS, TRS, SRS, GWPORS.

EXHIBIT(sts79a01)

Proponents' Testimony:

00:02:09 Leo Barry, representing Association of Montana Retired Public Employees (AMRPE)

EXHIBIT(sts79a02)

EXHIBIT(sts79a03)

00:07:35 David Senn, Executive Director, Montana Teachers' Retirement System (TRS)

00:08:36 Roxanne Minnehan, Executive Director, Montana Public Employee Retirement Administration (MPERA)

00:09:30 Tom Schneider, Montana Public Employees Association (MPEA)

00:09:53 Jim Smith, Montana Sheriffs and Peace Officers Association (MSPOA)

00:10:14 George Golie, Montana Game Warden Association (MGWA)

00:10:36 Diane Fladmo, MEA-MFT

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:11:10 Sen. Balyeat

00:11:55 David Senn, TRS

00:12:14 Sen. Balyeat

00:12:28 Chairman Shockley

00:12:54 Sen. Balyeat

00:13:24 Rep. Taylor

00:15:21 Sen. Balyeat

00:15:34 Rep. Taylor

00:16:19 Chairman Shockley

00:16:31 Rep. Taylor

00:17:02 Chairman Shockley

00:17:18 Sen. Balyeat

00:17:31 Rep. Taylor

00:17:46 Sen. Arthun

00:18:05 Rep. Taylor

00:18:26 Chairman Shockley

00:18:56 Leo Barry, AMRPE

00:19:08 Sen. Windy Boy

00:19:25 Rep. Taylor

Closing by Sponsor:

00:19:37 Rep. Taylor

EXECUTIVE ACTION ON HB 632

00:20:44 **Motion:** Sen. Mowbray moved that **HB 632 BE CONCURRED IN.**

Discussion:

00:20:53 Sen. Balyeat
00:21:04 Chairman Shockley
00:21:12 Sen. Balyeat
00:21:38 Rachel Weiss, Legislative Services Division (LSD)

EXHIBIT(sts79a04)

00:21:43 Sen. Balyeat
00:21:48 Rachel Weiss, LSD
00:21:52 Sen. Jones
00:23:13 Chairman Shockley
00:23:52 Sen. Mowbray
00:24:06 Sen. Jones
00:24:22 Chairman Shockley
00:24:56 Leo Barry
00:25:35 Sen. Balyeat
00:25:46 Rachel Weiss
00:26:00 Chairman Shockley
00:26:28 Sen. Balyeat
00:27:55 Sen. Windy Boy left the hearing.
00:28:29 Sen. Mowbray
00:29:14 Leo Barry
00:29:56 Sen. Mowbray
00:30:07 Sen. Balyeat
00:30:45 Sen. Arthun
00:31:20 Sen. Jones
00:32:30 Chairman Shockley
00:33:53 Sen. Balyeat
00:34:38 Chairman Shockley
00:34:47 Sen. Blewett
00:35:50 Chairman Shockley
00:35:57 Sen. Jones
00:36:15 Chairman Shockley

00:36:22 **Motion:** Sen. Balyeat moved that **HB 632 BE AMENDED WITH A CONCEPTUAL AMENDMENT** to put in a contingent voidness clause based on passage and approval of SB 54 and HB 122.

Discussion:

00:36:49 Chairman Shockley
00:37:14 Rachel Weiss

00:37:33 Sen. Mowbray
 00:37:46 Rachel Weiss
 00:37:49 Chairman Shockley
 00:37:52 Rachel Weiss
 00:38:04 Chairman Shockley

00:38:17 **Vote:** Motion carried 5-3 by roll call vote with Sen. Blewett, Sen. Jent and Sen. Windy Boy voting no. Sen. Jent and Sen. Windy Boy voted by proxy.

00:38:47 **Motion:** Sen. Balyeat moved that **HB 632 BE CONCURRED IN AS AMENDED.**

00:39:00 **Motion/Vote:** Sen. Balyeat moved that **HB 632 BE AMENDED.** (See Exhibit 4) Motion carried unanimously by voice vote. Sen. Jent and Sen. Windy Boy voted by proxy.

00:39:32 **Motion/Vote:** Sen. Balyeat moved that **HB 632 BE CONCURRED IN AS AMENDED.** Motion failed 4-4 by roll call vote with Sen. Balyeat, Sen. Jones, Sen. Mowbray and Sen. Shockley voting aye. Sen. Jent and Sen. Windy Boy voted by proxy.

00:40:26 **Motion/Vote:** Sen. Balyeat moved to **RECONSIDER THE MOTION** on **HB 632.** Motion carried 5-3 by roll call vote with Sen. Blewett, Sen. Jent and Sen. Windy Boy voting no. Sen. Jent and Sen. Windy Boy voted by proxy.

00:41:07 Chairman Shockley
 00:41:13 Sen. Arthun
 00:41:21 Sen. Blewett
 00:41:35 Sen. Balyeat
 00:42:06 Sen. Blewett
 00:42:25 Chairman Shockley
 00:42:28 Sen. Blewett

00:43:05 recess
 00:52:31 reconvene

00:52:42 **Motion/Vote:** Sen. Blewett moved to **REMOVE THE CONCEPTUAL AMENDMENT ON HB 632.** Motion failed 3-5 by roll call vote with Sen. Blewett, Sen. Jent and Sen. Windy Boy voting aye. Sen. Jent and Sen. Windy Boy voted by proxy.

00:53:39 **Motion/Vote:** Sen. Balyeat moved that **HB 632 BE CONCURRED IN AS AMENDED.** Motion carried 5-3 by roll call vote with Sen. Blewett, Sen. Jent and Sen. Windy Boy voting no. Sen. Jent and Sen. Windy Boy voted by proxy. Sen. Balyeat will carry the bill.

EXECUTIVE ACTION ON HB 306

00:54:46 **Motion:** Sen. Jones moved that **HB 306 BE REMOVED FROM TABLED.**

Discussion:

00:55:53 Chairman Shockley

00:57:04 **Vote:** Motion carried 5-1 by roll call vote by members present and voting with Sen. Blewett voting no.

Discussion:

00:57:54 Bruce Spencer, representing State Bar of Montana

00:58:56 Chairman Shockley

00:59:49 Bruce Spencer

00:59:57 **Motion:** Sen. Jones moved that **HB 306 BE CONCURRED IN.**

Discussion:

01:00:10 Chairman Shockley

01:01:52 Sen. Blewett

01:02:51 Chairman Shockley

01:04:03 Sen. Balyeat

01:04:59 Chairman Shockley

01:05:08 Sen. Balyeat

01:05:13 Chairman Shockley

01:06:15 Sen. Jones

01:06:19 Sen. Blewett

01:07:07 Chairman Shockley

01:07:11 Sen. Blewett

01:07:25 Chairman Shockley

01:07:35 Sen. Blewett

01:08:00 Sen. Balyeat

01:08:19 Chairman Shockley

01:08:37 Sen. Balyeat

01:08:40 Sen. Arthun

01:08:47 **Vote:** Motion carried 5-3 by roll call vote with Sen. Blewett, Sen. Jent and Sen. Windy Boy voting no. Sen. Jent and Sen. Windy Boy voted by proxy. Sen. Jones will carry the bill.

EXECUTIVE ACTION ON HB 346

01:09:40 Chairman Shockley relinquished the chair to Vice-Chairman Arthun

Discussion:

01:09:45 Sen. Shockley

01:11:17 **Motion/Vote:** Sen. Shockley moved that **HB 346 BE REMOVED FROM TABLED.** Motion carried 6-0 by voice vote by members present and voting.

Discussion:

01:11:44 Sen. Shockley
01:12:09 Sen. Balyeat
01:12:16 Sen. Shockley
01:14:58 Sen. Jones

01:15:47 **Motion:** Sen. Shockley moved that **HB 346 BE CONCURRED IN.**

Discussion:

01:15:56 Sen. Shockley
01:16:22 Sen. Balyeat
01:17:03 Rachel Weiss
01:18:13 Sen. Shockley
01:18:27 Sen. Jones
01:18:58 Sen. Blewett
01:19:09 Sen. Shockley
01:19:17 Sen. Blewett
01:19:25 Vice-Chairman Arthun
01:19:32 Sen. Jones
01:19:42 Sen. Balyeat
01:20:05 Sen. Shockley
01:20:12 Vice-Chairman Arthun
01:20:38 Sen. Jones
01:20:49 Sen. Shockley
01:20:56 Sen. Blewett
01:21:00 Sen. Jones
01:21:08 Sen. Balyeat
01:21:10 Sen. Shockley
01:21:14 Vice-Chairman Arthun
01:21:18 Sen. Shockley
01:21:25 Nadine Spencer, Committee Secretary

01:21:50 **Vote:** Motion failed 4-4 by roll call vote with Sen. Blewett, Sen. Jent, Sen. Shockley and Sen. Windy Boy voting aye. Sen. Jent and Sen. Windy Boy voted by proxy.

01:22:28 **Motion/Vote:** Sen. Jones moved that **HB 346 BE TABLED.** Motion carried 6-0 by voice vote by members present and voting.

Committee Business:

01:22:45 Chairman Shockley

Additional Documents:

EXHIBIT(sts79a05)

Final Standing Committee Report for SR 6

EXHIBIT(sts79a06)

Final Standing Committee Report for SR 24

ADJOURNMENT

Adjournment: 5:45 P.M.

Nadine Spencer, Secretary

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Additional Documents:

EXHIBIT([sts79aad.pdf](#))